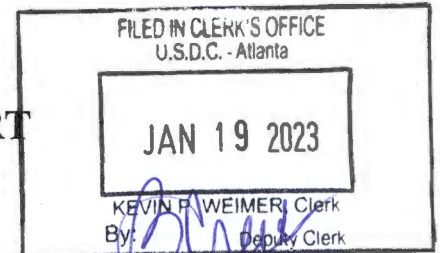


ND/GA PROB 12B  
(Rev. 1/21)

**UNITED STATES DISTRICT COURT**  
for  
**NORTHERN DISTRICT OF GEORGIA**



**Violation Report and Petition to Modify Conditions of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing Attached)*

Name of Offender: **Robert Doherty**

Docket No: **1:21-CR-184-TWT**

Assigned Judicial Officer: **Honorable Thomas W. Thrash, Senior U.S. District Judge**

Date of Original Sentence: **May 31, 2022**

Original Offense: **Unlawful Possession of a Firearm, 26 U.S.C §§ 5861(d) and 5871**

Original Sentence: **Mr. Doherty was sentenced to 21 months confinement followed by three years supervised release with standard conditions and the following special conditions: Participate in mental health treatment, submit to drug testing, and submit to search and permit confiscation.**

Type of Supervision: **Supervised Release** Date Supervision Commenced: **December 13, 2022**

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

**1. Violation of Mandatory Condition – Unlawful Use of a Controlled Substance:**

On January 5, 2023, Mr. Doherty tested positive for marijuana. Mr. Doherty admitted using marijuana on or about January 2, 2023, and he subsequently signed an admission form. The specimen was also forwarded to the national laboratory for confirmation. To immediately address his usage and addiction, Mr. Doherty has agreed to attend substance abuse treatment.

Upon reviewing Mr. Doherty's conditions, there is no special condition which would allow this officer to enroll him in drug treatment. As stated above, Mr. Doherty has agreed to continue drug testing and he is willing to participate in substance abuse treatment.

This officer respectfully recommends that the Court modify his conditions of supervised release to include alcohol restrictions and allow Mr. Doherty the opportunity to participate in a substance abuse treatment program.

Robert Doherty  
Page 2

**PREVIOUS VIOLATION(S) REPORTED TO THE COURT:**

None.

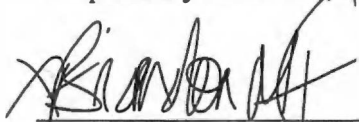
**PETITIONING THE COURT TO:**

To modify the conditions of supervision as follows:

You must not use or possess alcohol.

You must participate in an alcohol and / or other substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must pay all or part of the costs of the program based on your ability to pay unless excused by the probation officer.

Respectfully submitted,



Brandon M. Ferguson  
U.S. Probation Officer

1/10/23

Date

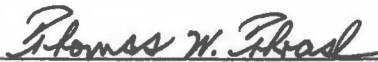
David Mitchell 1-10-23

David Mitchell  
Supervisory U.S. Probation Officer

Date

**THE COURT ORDERS:**

- ☒ The modifications of conditions as noted above  
☐ No Action  
☐ Other



Honorable Thomas W. Thrash, Jr.  
Senior U.S. District Court Judge

1/13/2023

Date

PROB 49  
(3/89)

**UNITED STATES DISTRICT COURT**

**for**

**NORTHERN DISTRICT OF GEORGIA**

**Waiver of Hearing to Modify Conditions  
of Supervised Release or Extend Term of Supervision**


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release or to the proposed extension of my term of supervision:


You must not use or possess alcohol.

You must participate in an alcohol and / or other substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, intensity, etc.). You must pay all or part of the costs of the program based on your ability to pay unless excused by the probation officer.

Signed:

  
Robert Doherty,  
Supervised Releasee

Witness:

  
Brandon M. Ferguson,  
U.S. Probation Officer

Date: January 5, 2023